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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Jesse Jerome Pointer,
Plaintiff(s),
vs.
State of Nevada et al.,
Defendant(s).

Case No. 2:22-cv-01847-RFB-MDC

Order to Administratively Close Case

The Court ordered the Plaintiff to either file an *in forma pauperis* application on the Court's approved form or pay the filing fee within thirty days. ECF No. 4. More than thirty days have passed, and the Plaintiff has not filed anything or paid the filing fee. In the earlier order, the Court warned Plaintiff that, "[f]ailure to timely comply with this Order may result in case closure or a recommendation for dismissal with prejudice" *Id.*

The Court's order (ECF No. 4) was returned as undeliverable to Plaintiff's listed address. ECF No. 5. The Court warned in its order (ECF No. 4) that failing to comply with LR IA 3-1, timely notification of any change of address, may result in dismissal of the action.

Since plaintiff has not commenced this action nor notified the Court of any change of address, the Court orders that this case be administratively closed.

ACCORDINGLY,

IT IS ORDERED that the Clerk of Court is directed to administratively CLOSE this case.

I CAUTION plaintiff that continuing to file duplicative and/or frivolous lawsuits may result in adverse consequences, including possible sanctions or a finding that he is a vexatious litigant.

NOTICE

Pursuant to Local Rules IB 3-1 and IB 3-2, a party may object to orders and reports and recommendations issued by the magistrate judge. Objections must be in writing and filed with the Clerk of the Court within fourteen days. LR IB 3-1, 3-2. The Supreme Court has held that the courts of appeal may determine that an appeal has been waived due to the failure to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This circuit has also held that (1) failure to file objections within the specified time and (2) failure to properly address and brief the objectionable issues waives the right to appeal the District Court's order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Pursuant to LR IA 3-1, plaintiffs must immediately file written notification with the court of any change of address. The notification must include proof of service upon each opposing party's attorney, or upon the opposing party if the party is unrepresented by counsel.

Failure to comply with this rule may result in dismissal of the action.

IT IS SO ORDERED.

DATED this 26th day of January 2024.



MAXIMILIANO D. COUVILLIER III
UNITED STATES MAGISTRATE JUDGE